

Patent & Trademark Office
OCT 18 2003

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	4616-65918/RJP
First Named Inventor	FREY, Joachim et al.
COMPLETE IF KNOWN	
Application Number	10 / 416,902
Filing Date	15 May 2003
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TYPE III SECRETION PATHWAY IN AEROMONAS SALMONICIDA, AND USES THEREFOR

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

11/15/2001

as United States Application Number or PCT International

(if applicable):

Application Number PCT/CA01/01589 and was amended on (MM/DD/YYYY) 10 February 2003

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/248,864	15 November 2000	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

☒ Customer Number
or Bar Code Label

24197

OR ☐

Correspondence address below

Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name

Joachim

Family Name
or Surname

Frey

(first and middle (if any))

Inventor's
Signature

Joachim Frey

5 Aug 2003
Date

Residence: City

Bern

State

Country CH

Citizenship CH

Mailing Address

Schreinerweg 9

Mailing Address

City

Bern

State

ZIP

CH-3012

Country

CH

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

Katja

Family Name
or Surname

Stuber

(first and middle (if any))

Inventor's
Signature

Stuber

8/18/03
Date

Residence: City

Ittigen

State

Country

Citizenship CH

Mailing Address

Kappelisackerstrasse 115

Mailing Address

City

Ittigen

State

ZIP

CH-3063

Country

CH

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



Please type a plus sign (+) inside this box →

☒

PTO/SB/02A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Julian C.		Thornton	
Inventor's Signature		Date	
Residence: City	Victoria	State	Country CA
Mailing Address		1219 Oscar Street	
Mailing Address			
City	Victoria	State BC	Country CA
ZIP	V8V 2X6		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Michael A.		Kuzyk	
Inventor's Signature		Date	
Residence: City	Victoria	State BC	Country CA
Mailing Address		#303 - 1535 Jubilee Avenue	
Mailing Address			
City	Victoria	State BC	Country CA
ZIP	V8R 4N4		
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Jan		Burian	
Inventor's Signature		Date	
Residence: City	Victoria	State BC	Country CA
Mailing Address		#80 - 1732 Newton Street	
Mailing Address			
City	Victoria	State BC	Country CA
ZIP	V8R 2R2		

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **TYPE III SECRETION PATHWAY IN AEROMONAS SALMONICIDA, AND USES THEREFOR**, the specification of which

- ☐ is attached hereto.
- ☒ was filed on 26 March 2004 as United States Patent Application No. 10/813,908.
- ☒ was described and claimed in PCT International Application No. PCT/CA01/01589, filed on 15 November 2001, and as amended under PCT Articles 19 on ___ (if applicable).
- ☐ and was amended on ___ (if applicable).
- ☐ with amendments through ___ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses claims and subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Number	Country	Day/Month/Year Filed	Claim Priority?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
60/248,864	November 15, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: patented, pending, abandoned
10/416,902	15 May 2003	pending

I hereby appoint the practitioners associated with the customer number provided below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number 24197

Name	Reg. No.	Name	Reg. No.
ANDON, Christopher L.	51,406	MC LEOD, Richard D.	46,921
BAKER, Theodore W.	53,961	MAURER, Gregory L.	43,781
BIBLE, Patrick M.	44,423	NOONAN, William D.	30,878
BUNKER, Gillian	47,461	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
CARLSON, Anne	47,472	RINEHART, Kyle B.	47,027
CASH, David	52,706	RUPERT, Wayne W.	34,420
GIRARD, Michael P.	38,467	RYBAK, Sheree L.	47,913
GOFF, Jared S.	44,716	SIEGEL, Susan Alpert	43,121
GORDON, Debra A.	54,128	SLATER, Stacey C.	36,011
HAENDLER, Jeffrey B.	43,652	STEPHENS Jr., Donald L.	34,022
HARDING, Tanya M.	42,630	STUART, John W.	24,540
HAYES, Kevin M.	54,158	VANDENBERG, John D.	31,312
JAKUBEK, Joseph T.	34,190	WAGNER, Justin D.	54,519
JONCUS, Stephen J.	44,809	WHINSTON, Arthur L.	19,155
JONES, Michael D.	41,879	WIGHT, Stephen A.	37,759
KLARQUIST, Kenneth S.	16,445	WINN, Garth A.	33,220
KLITZKE II, Ramon A.	30,188	YOUNG, Travis	53,819
LEIGH, James S.	20,434	ZASTROW, Devon J.	50,206

I hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Combined Declaration and Power of Attorney any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for submitting this document.

Address all telephone calls to Richard J. Polley at telephone number (503) 226-7391.

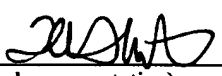
Address all correspondence to the address associated with **Customer Number 24197**, which address is:

Klarquist Sparkman, LLP
121 S.W. Salmon Street, Suite 1600
Portland, OR 97204

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor:	Joachim Frey
Residence:	Bern, SWITZERLAND
Mailing Address:	Schreinerweg 9, CH-3012 Bern, SWITZERLAND
Citizenship:	Switzerland
Inventor's Signature _____	Date _____

Name of Second Inventor:	Katja Stuber
Residence:	Ittigen, SWITZERLAND
Mailing Address:	Kappelischerstrasse 115, CH-3063 Ittigen, SWITZERLAND
Citizenship:	Switzerland
Inventor's Signature _____	Date _____

Name of Third Inventor:	Julian C. Thornton
Residence:	Victoria, BC, CANADA
Mailing Address:	1219 Oscar Street, Victoria, BC, CANADA V8V 2X6
Citizenship:	Canada
Inventor's Signature  _____ (by legal representative)	Date <u>Sept 23/04</u>

Name of Fourth Inventor:	Michael A. Kuzyk
Residence:	Richmond, BC, CANADA
Mailing Address:	#142 - 3031 Williams Road, Richmond, BC, CANADA V7E 4G1
Citizenship:	Canada
Inventor's Signature _____	Date _____

Name of Fifth Inventor:	Jan Burian
Residence:	Victoria, BC, CANADA
Mailing Address:	#80 - 1732 Newton Street, Victoria, BC, CANADA V8R 2R2
Citizenship:	Canada
Inventor's Signature	Date

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNING BY
ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED
OR INCAPACITATED INVENTOR (37 C.F.R. 1.42 AND 1.43)

I, Tracy A. Thornton
(type or print name(s) of administrator(trix), executor(trix), legal representative or all heirs)

hereby declare that I am a citizen of Canada residing at
1219 Oscar Street, Victoria, British Columbia, Canada and whose post
office address is 1219 Oscar Street, Victoria, British Columbia, Canada, V8V 2X6
and that I am executing and signing the declaration to which this is attached as
executrix of the last will and testament of

Julian C. Thornton

Full name of (first, second, etc.) deceased or incapacitated inventor

Canada

Country of citizenship of deceased or incapacitated inventor

DATED THIS 23rd DAY OF September, 2004.



Signature of administrator, executor or legal representative



**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled TYPE III SECRETION PATHWAY IN AEROMONAS SALMONICIDA, AND USES THEREFOR, the specification of which

- ☐ is attached hereto.
- ☒ was filed on 26 March 2004 as United States Patent Application No. 10/813,908.
- ☒ was described and claimed in PCT International Application No. PCT/CA01/01589, filed on 15 November 2001, and as amended under PCT Articles 19 on ___ (if applicable).
- ☐ and was amended on ___ (if applicable).
- ☐ with amendments through ___ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses claims and subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the applications(s) on which priority is claimed:

Number	Country	Day/Month/Year Filed	Claim Priority?	
			<input type="checkbox"/>	<input type="checkbox"/>
			Yes	No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
60/248,864	November 15, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: patented, pending, abandoned
10/416,902	15 May 2003	pending

I hereby appoint the practitioners associated with the customer number provided below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number 24197

Name	Reg. No.	Name	Reg. No.
ANDON, Christopher L.	51,406	MC LEOD, Richard D.	46,921
BAKER, Theodore W.	53,961	MAURER, Gregory L.	43,781
BIBLE, Patrick M.	44,423	NOONAN, William D.	30,878
BUNKER, Gillian	47,461	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
CARLSON, Anne	47,472	RINEHART, Kyle B.	47,027
CASH, David	52,706	RUPERT, Wayne W.	34,420
GIRARD, Michael P.	38,467	RYBAK, Sheree L.	47,913
GOFF, Jared S.	44,716	SIEGEL, Susan Alpert	43,121
GORDON, Debra A.	54,128	SLATER, Stacey C.	36,011
HAENDLER, Jeffrey B.	43,652	STEPHENS Jr., Donald L.	34,022
HARDING, Tanya M.	42,630	STUART, John W.	24,540
HAYES, Kevin M.	54,158	VANDENBERG, John D.	31,312
JAKUBEK, Joseph T.	34,190	WAGNER, Justin D.	54,519
JONCUS, Stephen J.	44,809	WHINSTON, Arthur L.	19,155
JONES, Michael D.	41,879	WIGHT, Stephen A.	37,759
KLARQUIST, Kenneth S.	16,445	WINN, Garth A.	33,220
KLITZKE II, Ramon A.	30,188	YOUNG, Travis	53,819
LEIGH, James S.	20,434	ZASTROW, Devon J.	50,206

I hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Combined Declaration and Power of Attorney any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for submitting this document.

Address all telephone calls to Richard J. Polley at telephone number (503) 226-7391.

Address all correspondence to the address associated with **Customer Number 24197**, which address is:

Klarquist Sparkman, LLP
121 S.W. Salmon Street, Suite 1600
Portland, OR 97204

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor: Joachim Frey
Residence: Bern, SWITZERLAND
Mailing Address: Schreinerweg 9, CH-3012 Bern, SWITZERLAND
Citizenship: Switzerland

Inventor's Signature _____

Date _____

Name of Second Inventor: Katja Stuber
Residence: Ittigen, SWITZERLAND
Mailing Address: Kappelischerstrasse 115, CH-3063 Ittigen, SWITZERLAND
Citizenship: Switzerland

Inventor's Signature _____

Date _____

Name of Third Inventor: Julian C. Thornton
Residence: Victoria, BC, CANADA
Mailing Address: 1219 Oscar Street, Victoria, BC, CANADA V8V 2X6
Citizenship: Canada


Inventor's Signature _____
(by legal representative)

Date _____

Name of Fourth Inventor: Michael A. Kuzyk
Residence: Richmond, BC, CANADA
Mailing Address: #142 - 3031 Williams Road, Richmond, BC, CANADA V7E 4G1
Citizenship: Canada

Inventor's Signature 

Date Sept. 29/04

Name of Fifth Inventor:	Jan Burian
Residence:	Victoria, BC, CANADA
Mailing Address:	#80 - 1732 Newton Street, Victoria, BC, CANADA V8R 2R2
Citizenship:	Canada
Inventor's Signature	
Date	23-SEP-2004

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNING BY
ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED
OR INCAPACITATED INVENTOR (37 C.F.R. 1.42 AND 1.43)

I, _____
(type or print name(s) of administrator(trix), executor(trix), legal representative or all heirs)

hereby declare that I am a citizen of _____ residing at
_____ and whose post
office address is _____

and that I am executing and signing the declaration to which this is attached as
_____ of the last will and testament of

Julian C. Thornton

Full name of (first, second, etc.) deceased or incapacitated inventor

Canada

Country of citizenship of deceased or incapacitated inventor

DATED THIS _____ DAY OF _____, 2004.

Signature of administrator, executor or legal representative

Y:\MIC01\2850 US\Combined Dec & Power Atty.wpd